

Message Text

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64

ACTION ARA-20

INFO OCT-01 EUR-25 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03

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FM AMEMBASSY SANTIAGO

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INFO USMISSION USUN NEW YORK

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EO 11652: N/A

TAGS: CI, PINS, PGOV

SUBJ: GOC PROVIDES APPEAL IN NATIONALITY LOSS

REF: SANTIAGO 6074 DTD 12/11/73

1. SUMMARY. GOC ADDS APPEAL PROVISION TO RECENT CONSTITUTIONAL AMENDMENT WHICH PERMITS STRIPPING OF NATIONALITY OF CHILEAN CITIZEN OPPONENTS ABROAD. END SUMMARY.

2. BY DECREE LAW PUBLISHED MARCH 2, GOC HAS MODIFIED DECREE LAW PUBLISHED DEC 1973 (REFTEL) WHICH ADDED PROVISION TO CONSTITUTION PERMITTING JUNTA TO STRIP NATIONALITY FROM ANY CHILEAN FOR ACTIVITIES ABROAD CONSIDERED TO BE "AGAINST THE INTERESTS OF THE STATE."

3. THIS NEW DECREE LAW ADDS PROVISION FOR APPEAL BY AFFECTED
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CITIZEN TO SUPREME COURT WITHIN 30 DAYS OF PUBLICATION OF ORDER DEPRIVING HIM OF CHILEAN NATIONALITY. IF COURT AGREES TO

CONSIDER APPEAL, EFFECTS OF ORDER SUSPENDED UNTIL CASE DECIDED.

4. TEXT BEING POUCHED UNDER AIRGRAM.

5. COMMENT. AT TIME OF PUBLICATION OF DECEMBER DECREE LAW, CHILEAN PRESS SPECULATED THAT UP TO 50 EX-UNIDAD POPULAR FIGURES ABROAD WOULD BE DEPRIVED OF NATIONALITY. LIST USUALLY HEADED BY MRS. ALLENDE. TO OUR KNOWLEDGE, NO RPT NO USE HAS BEEN MADE YET BY JUNTA OF NEW AUTHORITY. DECEMBER DECREE LAW WAS RECEIVED BY CHILEAN LEGAL PROFESSION WITH ILL-CONCEALED REPUGNANCE, IN PARTICULAR BECAUSE IT DISCRIMINATED AGAINST NATIVE-BORN CHILEANS AS COMPARED TO NATURALIZED CITIZENS WHO CAN APPEAL TO SUPREME COURT IF DEPRIVED OF CHILEAN NATIONALITY UNDER PROVISIONS EXISTING IN CONSTITUTION BEFORE COUP. NEW AMENDMENT GIVES SAME PRIVILEGE TO THOSE AFFECTED BY DECEMBER DECREE LAW. PROVISION FOR APPEAL ALSO ENHANCES PRESTIGE OF SUPREME COURT, WHICH HAS PRESENTED JUNTA NO PROBLEMS SINCE COUPE.
POPPER

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Message Attributes

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